

SIDLEY

SIDLEY AUSTIN LLP
787 SEVENTH AVENUE
NEW YORK, NY 10019
+1 212 839 5300
+1 212 839 5599 FAX

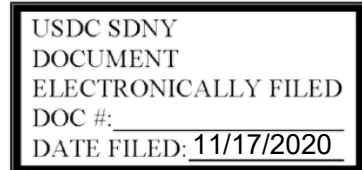
+1 212 839 7341
MLEVY@SIDLEY.COM

AMERICA • ASIA PACIFIC • EUROPE

November 16, 2020

By ECF

The Honorable John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007



Re: *Geller Biopharm, Inc. v. Amunix Pharmaceuticals, Inc.*, 20 Civ. 4334 (JPC)
Application to Redact and File Under Seal Defendant's Reply Brief

Dear Judge Cronan:

We represent Defendant Amunix Pharmaceuticals, Inc. ("Amunix") in this matter. Amunix respectfully seeks leave to file under seal those portions of its reply brief in support of the motion to dismiss that describe the Second FSA.

On November 10, 2020, Your Honor granted Amunix's application to file under seal the Second FSA and any descriptions of its terms. (Dkt. No. 43). Your Honor found that the competitive harm that could result from disclosure of the Second FSA overcame the presumption of open records under *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), and that Amunix's proposed redactions to the complaint, briefs in support and opposition to the motion, and other filings were appropriately tailored. (Dkt. No. 43).

Consistent with that Order and Individual Rule 4.B., Amunix moves to have filed under seal similar portions of the reply brief that directly quote or otherwise describe the confidential and sensitive terms of the Second FSA for the same reasons previously described and accepted. (Dkt. No. 39). Pursuant to Your Honor's Individual Rules, Amunix is publicly filing a copy of the reply brief with the proposed redactions and filing under seal an unredacted copy of the reply brief with the proposed redactions highlighted. (See Individual Rule 4.C.iii). Counsel for Plaintiff consents to this request.

SIDLEY

Page 2

Respectfully Submitted,

/s/ Michael A. Levy

Michael A. Levy
Christopher Egleson
Qais Ghafary


*Counsel for Defendant Amunix
Pharmaceuticals, Inc.*

cc: Counsel for Plaintiff (By ECF)

For the reasons stated above, it is hereby ORDERED that Defendant's request to file under seal the portions of its Reply referring to the FSA is GRANTED.

SO ORDERED.

Date: November 16, 2020
New York, New York


JOHN P. CRONAN
United States District Judge